THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

W.P.No.11151 of 2007

Date:30.05.2007

Between:

M.Hima Girija

.. PETITIONER

AND

The Chief Commissioner and others.

..RESPONDENTS

ORDER:

This writ petition is filed for the following relief:

> "To issue a writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the inaction of the first respondent in disposing of the stay petition filed by the petitioner herein as illegal and arbitrary and violative of the petitioner's fundamental rights and further grant of stay of all further proceedings arising out of the fourth respondent's proceedings bearing No.Rc.C.34/2005 dated 31.05.2005 issued to petitioner under Section 6 of the A.P. Land Encroachment Act, 1905."

The fourth respondent after issuing a notice under Section 7 of the A.P. Land Encroachment Act, 1905 on 08.02.2005, passed a final order under Section 6 of the Act on 31.05.2005 holding that the petitioner is an encroacher and accordingly ordered for her eviction. Questioning the said order, the petitioner filed an appeal before the third respondent, who dismissed the appeal by his order, dated 01.10.2005. The petitioner later filed an appeal before the second respondent and the said appeal was also dismissed on 26.03.2007. Questioning the said orders, the petitioner then filed

an appeal along with the stay application before the first respondent. The grievance of the petitioner is that the first respondent has not been disposing of the application for stay.

Having regard to the aforementioned facts, I deem it appropriate to direct the first respondent to dispose of the stay application filed by the petitioner against the orders passed by respondents 2 to 4, within a period of one (1) week from the date of receipt of a copy of this order. Till the first respondent disposes of the stay application, status quo existing as on today shall be maintained.

The writ petition is accordingly disposed of. There shall be no order as to costs.

_____

30.05.2007

kdl